

REMARKS

This Response is in reply to the Office Action dated July 16, 2006 and addresses the rejection included therein.

Pending Claims

The subject application was originally filed with three (3) claims. In prior Amendments, Applicant added claims 4-10 and 11-13 and cancelled claims 1-4 and 6-7 without prejudice to presentation of these claims, or the subject matter recited therein, in this or a later filed case. Upon entry of this Amendment, claims 5 and 8-13 will be pending in the subject application.

Summary of Office Action

In the final Office Action dated July 16, 2007, the Examiner rejected claims 5 and 8-13 based on nonstatutory obviousness-type double patenting as being unpatentable over claims 1-11 of U.S. Patent No. 6,691,403 ("the '403 patent") in view of U.S. Patent No. 5,732,471 ("the '471 patent").

Annotated Version of Independent Claim 5

Pursuant to the Examiner's request, Applicant has provided below an annotated version of independent claim 5 that includes reference numerals in parentheses after each element:

5. A tool (10) for cutting and stripping a sheath (12) from an electrical cable (14), the electrical cable (14) having a spaced pair of insulated power conducting wires (16), a ground wire (18) disposed between the power conducting wires (16), and the sheath (12) surrounding the power conducting (16) and ground (18) wires, the sheath (12) having a pair of spaced side portions (12A) that contain the power conducting wires (16) and a central portion (12B) disposed therebetween that contains the ground wire (18), the tool (10) comprising:

- a) a pair of levers (30, 32) having jaw (38,40), boss and handle (34,36) portions;
- b) a pivot (42) joining the boss portions to enable relative movement of the levers (30, 32) about the pivot (42) between open and closed positions;

c) a spring (50) positioned between the handle portions to bias the handle portions away from each other;

d) the jaw portions (38,40) each having blade sections (24C, 26C), each blade section (24C, 26C) having a set of three aligned cutting parts of a cutting edge (24, 26), the three cutting parts including a spaced pair of end cutting parts (24A, 26A) configured to at least partially cut through the side portions (12A) of the sheath (12), and a raised middle cutting part (24B, 26B) provided between the end cutting parts (24A, 26A) and configured to cut the central portion (12B) of the sheath (12); and

e) the cutting parts on each blade section together forming a cable receiving opening (54) when the levers (30, 32) are in the closed position, the cable receiving opening (54) is sized such that, when the levers (30, 32) are moved from the open to the closed position, the perimeter of the sheath (12) is cut.

Annotated Version of Independent Claim 9

Pursuant to the Examiner's request, Applicant has provided below an annotated version of independent claim 9 that includes reference numerals in parentheses after each element:

1. A tool (10) for cutting and stripping a sheath (12) from an electrical cable (14), the electrical cable (14) having a spaced pair of insulated power conducting wires (16), a ground wire (18) disposed between the power conducting wires (16), and the sheath (12) surrounding the power conducting (16) and ground (18) wires, the sheath (12) having a pair of spaced side portions (12A) that contain the power conducting wires (16) and a central portion (12B) disposed therebetween that contains the ground wire (18), the tool (10) comprising:

a) a pair of levers (30,32) having jaw (38,40), boss and handle (34,36) portions;

b) a pivot (42) joining the boss portions to enable relative movement of the levers (30,32) about the pivot (42) between open and closed positions;

c) a spring (50) positioned between the handle portions to bias the handle portions away from each other;

d) the jaw portions (38,40) each having blade sections (24C,26C) for coactively circumferentially severing the sheath (12) when the levers (30,32) are moved from the open to the closed position;

e) each blade section (24C,26C) having a set of three aligned cutting parts of a cutting edge (24,26), the set of three cutting parts including a spaced pair of end cutting parts (24A,26A) being contoured to cut the side portions (12A) of the sheath (12) and a raised middle cutting part (24B,26B) between the end cutting parts (24A,26A) for cutting the central portion (12B) of the sheath (12); and

f) the cutting parts together forming a cable wire receiving opening (54) when the levers (30,32) are in the closed position, the cable receiving opening (54) being of a configuration smaller than the configuration of the sheath (12), such that the sheath (12) is circumferentially severed when the levers (30,32) are moved from the open to the closed position.

Obviousness-Type Double Patenting Rejection

To overcome the obviousness-type double patenting rejection of claims 5 and 8-13 based on claims 1-11 of the '403 patent in view of the '471 patent, Applicant concurrently files herewith a terminal disclaimer. Accordingly, this rejection should be withdrawn.

Conclusion

In view of the terminal disclaimer concurrently filed herewith, claims 5 and 8-13 are now in condition for allowance and notice to such effect is respectfully requested. Pursuant to 37 C.F.R. § 1.20(d), the fee for filing the terminal disclaimer is \$65.00. To cover this fee, Applicant has filed an online credit card payment authorization. If there are any additional fees associated with this Response, the Commissioner is hereby authorized to charge to Deposit Account No. 02-2051, referencing Docket No. 24685-113.

Respectfully Submitted,

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